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Date: March 25, 2010 Name: Jasper W. Dockrey, Reg. No. 33,868 Signature: /Jasper W. Dockrey/

Our Case No. 11333/38
Sysmex Ref. No. (1-2002-090US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--------------------------------------|---|--------------------------------|
| In re Application of: |) | |
| |) | |
| Yasuyuki KAWASHIMA |) | |
| |) | Examiner Kailash C. Srivastava |
| Serial No. 10/821,732 |) | |
| |) | Group Art Unit No. 1657 |
| Filing Date: April 8, 2004 |) | |
| |) | Conf. No. 1524 |
| For: Methods for Measuring Bacteria, |) | |
| Bacteria Measuring Apparatuses, |) | |
| and Storage Media for Storing |) | |
| Computer-Executable Programs for |) | |
| Analyzing Bacteria |) | |

AMENDMENT AND RESPONSE UNDER 37 C.F.R §1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of September 28, 2009, in the above-referenced application, the applicant respectfully requests reconsideration in view of the following amendment and remarks.

Amendments to the Claims are set forth in the listing of claims beginning at page 2 of this paper.

The applicant's remarks begin on page 5 of this paper.